metes and bounds and beginning as located by the plaintiff and did accordingly refuse to allow the same to be given in evidence to the Jury. To which opinion of the Court the plaintiff by his Counsel excepts and prays the Court to sign and seal this his Bill of Exceptions according to the Statute in such case made and provided and which is accordingly done this 10th day of June in the year of our Lord one thousand eight hundred and three.

Jeremiah Townley Chase (Seal)
John Dare (Seal)
R. Sprigg (Seal)

Philip Hammond and others Lessee against John Norris } In the Tryal of this cause the plaintiff by his Counsel to support the issue on his part offered in evidence to the Jury that the tract of Land resurveyed by Joseph Wood and called Woods Lott acquired by reputation the name of Woods Inclosure, and that the said Resurvey called Woods Lott and Woods Inclosure are one and the same and not different.

[Here follows the Patent to Joseph Wood for 154 A.s called Woods Lott, herein before inserted.]

And the Plaintiff further offered Evidence to prove that all the Locations on the plats in this cause made by the plaintiff are truly located by him, and prayed the opinion and direction of the Court to the Jury that unless they are satisfied from the evidence in this cause of the true position of the beginning of the 86 acres of Land on which the Resurvey called part of Woods Inclosure was made, or the beginning of the said Resurvey and for which Land this suit is brought [Here follows the certificate of the said Resurvey which is herein before inserted] that then they have a right and are bound by Law to ascertain a place of beginning by reversing the first nine courses of the said Resurvey without variation or with such variation as they think right from the place marked 2 on the plat at res figures 27 and res p.w.l. and unless they are satisfied from the evidence in the cause of the place where the 10th line of said Resurvey calls for, that (then)

then the true location of said Land is to be ascertained by running the lines of said Resurvey from the place marked on the plat at 2 without or with such variation as they think proper until the given line shall intersect and close with the beginning so found by reversing as aforesaid, and that the Jury are by Law compelled to draw lines on the plat to ascertain the true position of the Land in the declaration named, or to make such description thereof in their verdict as shall fix the true position of the same, notwithstanding there are no such lines on the plat at this time located. And in case they have evidence to satisfy their minds of the true original beginning of the Resurvey made by the said Wood and for which suit is brought and that the same is at a place different from what is located by either Plaintiff or Defendant that then they are to begin at the place so proved, and run the first eight courses of the grant with or without such variation as they think most proper to correspond with the original location and that the 9th course must be run to its call at a red 27. resp.w.l and in case they have not evidence to establish the place called for at the termination of the 10th line that then they have a right and are bound to locate the lines from 2 with or without variation as they think proper until the given line shall intersect and close with the said place of beginning. And the Jury are by Law competent to draw Lines on the plat to ascertain the true position of said Land as to make such description thereof in their verdict as shall fix the true position of the Land, notwithstanding there are no such lines on the plat at this time located, and on fixing such location the plaintiff is entitled to their verdict for all such Land as is included within their finding and which is also contained in the locations of the plaintiff of the said Land called Woods Inclosure and for which the Defendant hath taken defence. But the Court refused to give the direction prayed in as much as the plaintiff in this cause had not made any location on the plat to warrant the Court in directing the Jury to find a beginning for the plaintiff different from that located at the letter G as the beginning of (part)